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Berlin's 472; Bonn's 1357. yr-J40.181

1. Department agrees it highly desirable reach prior agreement on swi
application TID ban as possible retaliation East German or Soviet harassment

2. Presumably such ban would have definite, limited duration when applied against one-shot harassment such as Feb. 12 exclusion of Bishops. This should be clearly understood on all sides, since philosophy in recent use TTD controls was to hold out for satisfaction from East Germans before relaxing.

3. General magnitude of time period for maintaining ban might best be agreed now, since this likely important factor in securing British eventual cooperation and/NATO support. (Dept. suggests about two weeks for incident such as Feb. 12; other periods might vary from week to month).

4. TID action against new Communist policy or practice as distinct
from one-shot affair, wld of course still have to be held until policy

Entered by: *[Signature]* EUR:GER:AM:May:car:clj. 3/3/61.

Telegraphic transmission and
distribution approved by *SPUR* - For D. Kohler

Dear Mr. Hillhouse,

RA - ~~Marked Pending~~
Mr. Todd

SCV - Mr. Anderson

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[] or practice amended.

5. Ban should ideally be complete except for compassionate cases.

6. Rather than blanket authorization to institute ban at discretion ATO, however, Department believes advance agreement on following procedure preferable: Berlin Missions will recommend such action to their governments on understanding that if no objection received in 24 hours ban will go into effect. This will permit evaluation in Berlin, Bonn and capitals of real significance of harassment, which might well not be clear in first instant. Perhaps more importantly, it should remove British qualms (Department agrees with Bonn that these are to be expected otherwise) and increase chances obtaining NATO member commitment to keep their visa issuing policy in accord with NATO policy in such cases. On other hand, 24 hours delay should not blunt effect of retaliation significantly.

7. If this agreeable, suggest Bonn work out tripartite understanding for guidance of ATO and for eventual discussion in NATO. (We shall later wish consult USRO re propitious time raise this in NATO.) Procedure should become effective upon agreement three Governments, however.

8. DEPT considers it desirable that FEDREP cooperate at any time counter-measures are applied, particularly where some degree sacrifice asked of smaller NATO members. Suggest possibility be raised tripartitely with Germans of latter agreeing to match TTD controls for limited period with some form retaliation that could be readily turned on and off, such as harassment shipment East German goods through FEDREP.

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